

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:16CR00089 JAR
)	
CORTEZ DAVIS,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation and Order of United States Magistrate Judge Shirley P. Mensah (ECF No. 60). On December 11, 2017, Defendant Davis filed a Motion to Suppress Statements (ECF No. 46) and a Motion to Suppress Physical Evidence (ECF No. 48). An evidentiary hearing was held on January 18, 2018. Magistrate Judge Mensah recommends the Court deny in part and grant in part Defendant's Motion to Suppress Statements and recommends the Court deny Defendant's request to Suppress Physical Evidence.

Pursuant to 28 U.S.C. § 636(b), these matters were referred to United States Magistrate Judge Shirley P. Mensah, who filed a Report and Recommendation and Order on February 1, 2018 (ECF No. 60). Defendant Davis filed objections to the Report and Recommendation and Order on February 8, 2018 (ECF No. 61), and the Government thereafter filed a Response in Opposition to Defendant's Objections on February 20, 2018 (ECF No. 62). Defendant Davis summarily states that he objects to several conclusions drawn by Magistrate Judge Mensah, but fails to provide any countervailing rationale for his position. The Court finds that the Magistrate Judge's conclusions are supported by the evidence, and Defendant Davis's objections are not persuasive.

The Magistrate Judge recommends that the Motion to Suppress Statements be granted in part and denied in part, and the Motion to Suppress Physical Evidence be denied. After de novo review of this matter, this Court adopts the Magistrate Judge's recommendation.


Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation and Order of the United States Magistrate Judge [60] is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

IT IS FURTHER ORDERED that the Motion to Suppress Statements [46] is **GRANTED in part and DENIED in part**. Defendant's motion is granted with respect to Defendant's pre-*Miranda* statement that the closet in the residence belonged to him, but denied in all other respects.

IT IS FURTHER ORDERED that Defendant's Motion to Suppress Physical Evidence [48] **DENIED**.

Dated this 21st day of February, 2018.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE